

**Introduced by Senator Aanestad**

February 24, 2006

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An act to amend Section 114870 of the Health and Safety Code, relating to radiologic technology.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1670, as introduced, Aanestad. Radiologic technology.

Existing law requires the State Department of Health Services to adopt regulations for the granting, with certain exception, of limited permits to persons to conduct radiologic technology limited to the performance of certain procedures or the application of X-rays to specific areas of the human body, and to prescribe minimum training, experience, and examination standards and procedures. Violation of these provisions is a crime.

This bill would, in addition, require the department to adopt minimum continuing education standards. By changing the definition of a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1     SECTION 1. Section 114870 of the Health and Safety Code
- 2     is amended to read:

1 114870. The department shall do all of the following:

2 (a) Upon recommendation of the committee, adopt regulations  
3 as may be necessary to accomplish the purposes of this chapter.

4 (b) Provide for certification of radiologic technologists,  
5 without limitation as to procedures or areas of application, except  
6 as provided in Section 106980. Separate certificates shall be  
7 provided for diagnostic radiologic technology, for  
8 mammographic radiologic technology, and for therapeutic  
9 radiologic technology. If a person has received accreditation to  
10 perform mammography from a private accreditation  
11 organization, the department shall consider this accreditation  
12 when deciding to issue a mammographic radiologic technology  
13 certificate.

14 (c) Provide, as may be deemed appropriate, for granting  
15 limited permits to persons to conduct radiologic technology  
16 limited to the performance of certain procedures or the  
17 application of X-rays to specific areas of the human body, except  
18 for mammography, prescribe minimum standards of training ~~and~~,  
19 experience, *and continuing education* for these persons, and  
20 prescribe procedures for examining applicants for limited  
21 permits. The minimum standards shall include a requirement that  
22 persons granted limited permits under this subdivision shall meet  
23 those fundamental requirements in basic radiological health  
24 training and knowledge similar to those required for persons  
25 certified under subdivision (b) as the department determines are  
26 reasonably necessary for the protection of the health and safety  
27 of the public.

28 (d) Provide for the approval of schools for radiologic  
29 technologists.

30 (e) Provide, upon recommendation of the committee, for  
31 certification of licentiates of the healing arts to supervise the  
32 operation of X-ray machines or to operate X-ray machines, or  
33 both, prescribe minimum standards of training and experience for  
34 these licentiates of the healing arts, and prescribe procedures for  
35 examining applicants for certification. This certification may  
36 limit the use of X-rays to certain X-ray procedures and the  
37 application of X-rays to specific areas of the human body.

38 (f) (1) Provide for certification of any physician and surgeon  
39 to operate, and supervise the operation of, a bone densitometer, if  
40 that physician and surgeon provides the department a certificate

1 that evidences training in the use of a bone densitometer by a  
2 representative of a bone densitometer machine manufacturer, or  
3 through any radiologic technology school. The certification shall  
4 be valid for the particular bone densitometer the physician and  
5 surgeon was trained to use, and for any other bone densitometer  
6 that meets all of the criteria specified in subparagraphs (A) to  
7 (C), inclusive, if the physician and surgeon has completed  
8 training, as specified in subparagraph (A) of paragraph (2), for  
9 the use of that bone densitometer. The physician and surgeon  
10 shall, upon request of the department, provide evidence of  
11 training, pursuant to subparagraph (A) of paragraph (2), for the  
12 use of any bone densitometer used by the physician and surgeon.  
13 The activity covered by the certificate shall be limited to the use  
14 of an X-ray bone densitometer to which all of the following is  
15 applicable:

16 (A) The bone densitometer does not require user intervention  
17 for calibration.

18 (B) The bone densitometer does not provide an image for  
19 diagnosis.

20 (C) The bone densitometer is used only to estimate bone  
21 density of the heel, wrist, or finger of the patient.

22 (2) The certificate shall be accompanied by a copy of the  
23 curriculum covered by the manufacturer's representative or  
24 radiologic technology school. The curriculum shall include, at a  
25 minimum, instruction in all of the following areas:

26 (A) Procedures for operation of the bone densitometer by the  
27 physician and surgeon, and for the supervision of the operation of  
28 the bone densitometer by other persons, including procedures for  
29 quality assurance of the bone densitometer.

30 (B) Proper radiation protection of the operator, the patient, and  
31 third parties in proximity to the bone densitometer.

32 (C) Provisions of Article 5 (commencing with Section  
33 106955) of Chapter 4 of Part 1 of Division 104.

34 (D) Provisions of Chapter 6 (commencing with Section  
35 114840) of Part 9 of Division 104.

36 (E) Provisions of Group 1 (commencing with Section 30100)  
37 of Subchapter 4 of Chapter 5 of Division 1 of Title 17 of the  
38 California Code of Regulations.

1 (F) Provisions of Group 1.5 (commencing with Section 30108)  
2 of Subchapter 4 of Chapter 5 of Division 1 of Title 17 of the  
3 California Code of Regulations.

4 (G) Provisions of Article 1 (commencing with Section 30250)  
5 of Group 3 of Subchapter 4 of Chapter 5 of Division 1 of Title 17  
6 of the California Code of Regulations.

7 (H) Provisions of Article 2 (commencing with Section 30254)  
8 of Group 3 of Subchapter 4 of Chapter 5 of Division 1 of Title 17  
9 of the California Code of Regulations.

10 (I) Provisions of Article 3 (commencing with Section 30265)  
11 of Group 3 of Subchapter 4 of Chapter 5 of Division 1 of Title 17  
12 of the California Code of Regulations.

13 (J) Provisions of Article 4 (commencing with Section 30305)  
14 of Group 3 of Subchapter 4 of Chapter 5 of Division 1 of Title 17  
15 of the California Code of Regulations.

16 (K) Provisions of Subchapter 4.5 (commencing with Section  
17 30400) of Chapter 5 of Division 1 of Title 17 of the California  
18 Code of Regulations.

19 (3) (A) Notwithstanding any other provision of law, this  
20 subdivision shall constitute all the requirements that must be met  
21 by a physician and surgeon in order to operate, and supervise the  
22 operation of, a bone densitometer. The department may adopt  
23 regulations consistent with this section in order to administer the  
24 certification requirements.

25 (B) No person may be supervised by a physician and surgeon  
26 in the use of a bone densitometer unless that person possesses the  
27 necessary license or permit required by the department.

28 (C) Nothing in this subdivision shall affect the requirements  
29 imposed by the committee or the department for the registration  
30 of a bone densitometer machine, or for the inspection of facilities  
31 in which any bone densitometer machine is operated.

32 (D) This subdivision shall not apply to a licensee of the  
33 healing arts who is certified pursuant to subdivision (e) or  
34 pursuant to Section 107111.

35 (E) The department shall charge a fee for a certificate issued  
36 pursuant to this subdivision to the extent necessary to administer  
37 certification. The fee shall be in an amount sufficient to cover the  
38 department's costs of implementing this subdivision and shall not  
39 exceed the fee for certification to operate or supervise the  
40 operation of an X-ray machine pursuant to subdivision (e). The

1 fees collected pursuant to this subparagraph shall be deposited  
2 into the Radiation Control Fund established pursuant to Section  
3 114980.

4 (g) Upon recommendation of the committee, exempt from  
5 certification requirements those licentiates of the healing arts  
6 who have successfully completed formal courses in schools  
7 certified by the department and who have successfully passed a  
8 roentgenology technology and radiation protection examination  
9 approved by the department and administered by the board that  
10 issued his or her license.

11 SEC. 2. No reimbursement is required by this act pursuant to  
12 Section 6 of Article XIII B of the California Constitution because  
13 the only costs that may be incurred by a local agency or school  
14 district will be incurred because this act creates a new crime or  
15 infraction, eliminates a crime or infraction, or changes the  
16 penalty for a crime or infraction, within the meaning of Section  
17 17556 of the Government Code, or changes the definition of a  
18 crime within the meaning of Section 6 of Article XIII B of the  
19 California Constitution.